

of the Board of Control as to any portion not so beautified. ,

Sêc. 4. It is further provided that the city of Austin shall agree in said contract to surrender all or any part of the land authorized to be leased upon 12 months notice by the Legislature or by the Board of Control.

Sec. 5. All laws or parts of laws in conflict herewith be, and the same are hereby repealed.

Sec. 6. The fact that there is considerable property belonging to the State of Texas lying and being situated on the banks of the Colorado River within or near the city of Austin, Texas—some of which is a menace to public health—which menace shall be removed, and the further fact that there is now no law authorizing a contract between the city of Austin and the State of Texas for the purposes provided herein, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

WALLACE.

March, 8, 1929, adopted.

LOUISE SNOW PHINNEY,
Chief Clerk of the House of Representatives.

FORTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,
March 11, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Martin.
Berkeley.	McFarlane.
Cousins.	Miller.
Cunningham.	Moore.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Pollard.
Holbrook.	Russek.
Hornsby.	Small.
Love.	Stevenson.

Thomason.	Witt.
Westbrook.	Woodul.
Williamson.	Woodward.
Wirtz.	

Absent—Excused.

Hyer. Neal.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Berkeley.

S. B. No. 613, A bill to be entitled "An Act amending an Act approved February 11, 1929, creating the 109th Judicial District, the same being S. B. No. 9, so as to correct the defective emergency clause and place said Act in immediate effect; and declaring an emergency."

The bill was read first time and referred to Committee on Judicial Districts.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. C. R. No. 24.	S. B. No. 560.
S. B. No. 37.	H. B. No. 724.
S. B. No. 602.	H. B. No. 676.
S. B. No. 581.	H. B. No. 313.
S. B. No. 573.	H. C. R. No. 13.
S. B. No. 222.	H. C. R. No. 37.
S. B. No. 582.	

Senators Excused.

On motion of Senator Russek, Senator Hyer was excused for the day on account of important business.

Messages from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted Free Conference Committee Report on S. B. No. 502 by a vote of 102 yeas and 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to H. B. No. 654 and requests the Senate for the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Tillotson, Hubbard, Beck, Morse, Maynard.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

By Mr. Hines, Mr. Rountree, Mr. Simmons, Mr. Snelgrove and Mr. Young:

H. B. No. 116, A bill to be entitled "An Act to amend Chapter 6, Title 93, Revised Civil Statutes of Texas, 1925, and Chapter 5, Title 14, Revised Criminal Statutes of Texas, 1925, relating to public weighers, by amending Articles 5680, 5681, 5688, 5689, 5691, 5694, 5695 and 5704."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 314, A bill to be entitled "An Act to provide for the location, establishment and maintenance of an institution for the treatment of persons suffering from Cancer or Pella-

gra and to provide for the care and treatment of indigent persons suffering from Cancer or Pellagra; and defining the conditions of admission thereto; and provide for the scientific study of Cancer and Pellagra; and creating a commission to establish and control said institution, and defining the duties of certain officers in respect to said institution; and make appropriation therefor, and declaring an emergency."

With amendments.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives,
Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

By Senator Witt:

S. B. No. 220, A bill to be entitled "An Act providing for the regulation of Local Mutual Aid Associations paying a death benefit operating an insurance business and paying benefits, where funds are provided by assessments on members. Defining the law and manner under which such associations may operate. Prescribing, providing for and requiring among other things: the territorial limits of such associations and prohibiting the connection of any two associations of the same character; the number of person who may organize such associations, and the requirements of the articles of association in the formation of such associations; a bond as a prerequisite to the organization of such associations and the amount and conditions of said bond; approval of constitution and by-laws under which such associations will operate; the investigation of the organizers of said associations by the Board of Insurance Commissioners after organization; the issuance of certificate of authority to do business in the State by the Board of Insurance Commissioners of Texas; the manner and condition of recovering on said bond and the amount of recovery thereon, and the venue of such action to be in Travis county, Texas, the jurisdiction of the court in which such action may be filed, the by-laws of such associations and the membership of such associations, and for the grouping of the members

into groups or classes and prohibiting such associations from issuing certificates with level premium rates or guaranteed cost or certificates having surrender or loan value features. Defining and prescribing who may be beneficiaries. Providing for an annual report to the Commissioner of Insurance and the renewal of certificate of authority. Providing for the examination of such associations by the Board of Insurance Commissioners of the State of Texas and providing for suits to wind up and liquidate the affairs of such associations and the venue thereof. Defining and granting to such associations corporate existence, providing for the manner of service of process of such associations, the method of dissolution and forfeiture and providing for a penalty for the violation of the provisions of this Act. Providing for the exemption of certain associations and societies from the provisions of this Act, and providing fees, the time of collection and the amount thereof, repealing Articles 4859, 4859-A, 4859-B, 4859-C and 4859-D of the Revised Civil Statutes of Texas for 1925 and all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Free Conference Granted.

The Senate voted to grant the request of the House for a Free Conference Committee on H. B. No. 654, and the Chair appointed the following on the part of the Senate:

Senators Woodward, Westbrook, Witt, Cousins, and Martin.

Simple Resolution No. 95.

Senator Love sent up the following resolution:

A RESOLUTION

Providing for installation of radio equipment in the Senate Chamber. Be it resolved by the Legislature of the State of Texas:

Section 1. The President of the Senate shall appoint a committee of three members of the Senate, whose duty it shall be to have installed in the Senate Chamber radio equipment for broadcasting the proceedings of the Senate, and to make arrangements for such broadcasting

to be done at the next called session of the Legislature. Said committee shall have one microphone placed at the desk of each Senator, one at the desk of the President of the Senate and one at the desk of the Secretary of the Senate. Said committee shall have authority to make any contract or contracts necessary to comply with this resolution.

Sec. 2. The sum of \$10,000.00, or so much thereof as may be necessary, is hereby appropriated out of the appropriation for contingent expenses to pay the expense of carrying out this Resolution, including among other things necessary expenses of the members of the committee incurred in the performance of their duty hereunder.

LOVE.

The resolution was read.

Senator Pollard moved to table the resolution. The motion prevailed by the following vote:

Yeas—19.

Berkeley.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Williamson.
Martin.	Wirtz.
Moore.	Woodul.
Parr.	

Nays—7.

Beck.	Parrish.
Gainer.	Witt.
Love.	Woodward.
McFarlane.	

Absent.

Cousins.	Westbrook.
Miller.	

Absent—Excused.

Hyer.	Neal.
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Senate Bill No. 514

The Chair laid before the Senate on third reading the following bill:

S. B. No. 514, A bill to be entitled "An Act to amend Article 7482, and Article 7485, as contained in Chapter 1 of Title 128 of the Revised Civil Statutes of Texas; also to amend Article 7960, Chapter 5 of Title 128 of the Revised Civil Statutes of Texas, for the purpose of fix-

ing compensation of the members of the State Board of Water Engineers and of the Reclamation Engineer of the State of Texas."

Read third time and finally passed.

Senate Bill No. 574.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 574, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of Teachers' Institutes; prescribing the duties of said supervisor; and declaring an emergency."

Read third time and finally passed by the following vote:

Yeas—29 .

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

Senate Bill No. 596.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 596, A bill to be entitled "An Act increasing the compensation of county attorneys in counties having no district attorney, and repealing laws in conflict herewith."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Gainer the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 596 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
Cunningham.	Holbrook.
DeBerry.	Hornsby.

Love.	Small.
Martin.	Stevenson.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Parr.	Wirtz.
Parrish.	Witt.
Patton.	Woodul.
Pollard.	Woodward.
Russek.	

Absent—Excused.

Hyer. Neal.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

Senate Bill No. 96.

The Chair laid before the Senate the following bill:

S. B. No. 96, A bill to be entitled "An Act repealing Articles 4027, 4036, 4037, 4039, 4040, 4041 of the Revised Civil Statutes of 1925, and amending Article 4035 of the Revised Civil Statutes of 1925 and Article 960 of the Penal Code of the State of Texas; providing for the lease of oyster reefs or bottoms of the public waters of the State of Texas to citizens of the United States or domestic corporations for the purpose of cultivating oysters; etc., and declaring an emergency."

The bill was finally passed.

Senate Bill No. 509.

The Chair laid before the Senate on second reading the following bill:

By Senator Woodul:

S. B. No. 509, A bill to be entitled "An Act to establish and maintain an agricultural experiment station

on the South Plains of Texas, in the region occupied by the counties of Cochran, Yoakum, Gaines, Andrews, Terry and portions of Lynn and Dawson Counties, authorizing the board of directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, empowering said board of directors to establish and maintain same, to accept donations of land, water and money for the establishing of said station, making an appropriation to pay the cost of establishing said station and for the operation of same; and declaring an emergency."

The committee report carrying an amendment was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 509 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Pollard.
Cunningham.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Parr.	

Nay—1.

DeBerry.

Present—Not Voting

Holbrook.

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—28.

Beck.	Holbrook.
Berkeley.	Hornsby.
Cousins.	Love.
Cunningham.	Martin.
Gainer.	McFarlane.
Greer.	Miller.
Hardin.	Moore.

Parr.	Thomason.
Parrish.	Westbrook.
Patton.	Williamson.
Pollard.	Wirtz.
Russek.	Witt.
Small.	Woodul.
Stevenson.	Woodward.

Nay—1.

DeBerry.

Absent—Excused.

Hyer. Neal.

Senate Bill No. 382.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 382, A bill to be entitled "An Act making an appropriation to secure sites and erect monuments on certain historic spots in the State; providing for the appointment by the Governor of a committee to carry out the purpose and intent of this Act, and appropriating a sum of money sufficient to pay the actual traveling and living expenses of said committee while engaged in said work; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 382 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Nay—1.

DeBerry.

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed.

Senate Bill No. 237.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 237, A bill to be entitled "An Act to amend Article 4613, Article 4614, Article 4618, Article 4619, Article 4620, Article 4118, and Article 5535, of the Revised Civil Statutes of 1925, declaring and defining the legal rights of married women; defining the separate property of married persons; regulating the management, control, disposition, and liability of such separate property; defining the common property of husband and wife; regulating the control, management, disposition, and liability of such common property; regulating the rights of parents as guardians for their minor children; making married women subject to all laws of limitation; regulating the conveyance of the homestead of the family; repealing Articles 4615, 4616, 4617, 4623, 4624, 4626, 6605, 6608, 1299, 1300, 6164, 1983, 1984, and 1985 of the Revised Civil Statutes of 1925, and all other laws and parts of law in conflict herewith; and declaring an emergency."

The committee report carrying a substitute and amendments to the substitute was adopted.

The bill as substituted and amended was read second time and passed to engrossment.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 237 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Pollard.
Cunningham.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Williamson.
Hornsby.	Witt.
Love.	Woodul.
McFarlane.	Woodward.
Moore.	

Nays—4.

DeBerry.	Parr.
Martin.	Wirtz.

Absent.

Miller.	Westbrook.
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Absent—Excused.

Hyer.	Neal.
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The bill was read third time and finally passed.

Free Conference Committee Report.

Senator Moore sent up the following Free Conference Committee report:

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate, and

Hon. W. S. Barron, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, to whom was referred

S. B. No. 126, A bill to be entitled "An Act further regulating the practice of medicine within this State; requiring the payment of an annual registration fee by all persons lawfully qualified and engaged in the practice of medicine, and conferring certain powers on the Texas State Board of Medical Examiners and the Secretary-Treasurer thereof, in respect to the collection and expenditure of funds raised from the collection of such fees; and providing that it shall be the duty of all persons now lawfully qualified and engaged in the practice of medicine in this State, etc., and declaring an emergency."

Have had the same under consideration and beg leave to report that we have adjusted the differences between the House and the Senate on said bill and recommend the passage of the following substitute bill:

By Moore. S. B. No. 126.

A BILL

To Be Entitled

An Act further regulating the practice of medicine within this State; requiring the payment of an annual registration fee by all persons lawfully qualified and engaged in the practice of medicine, and conferring certain powers on

the Texas State Board of Medical Examiners and the Secretary-Treasurer thereof, in respect to the collection and expenditure of funds raised from the collection of such fees; and providing that it shall be the duty of all persons now lawfully qualified and engaged in the practice of medicine in this State, as defined in Article 4510, Revised Civil Statutes of 1925, or who shall hereafter be licensed for such practice by the Texas State Board of Medical Examiners, on or before the first day of January, 1930, and thereafter to annually register as such practitioners, requiring in connection with such annual registration a fee of \$2.00, such payment to be made as prescribed in the Act; and further providing that, upon receipt of the annual payment of such registration fee, the Secretary Treasurer of the Texas State Board of Medical Examiners after ascertaining from the records of the Board or from other reliable sources that the applicant is a licensed practitioner, shall issue to the applicant an annual registration certificate, certifying that the applicant has filed such application and has paid the registration fee mentioned for the year in question, and providing that such registration and the payment of such fee shall not entitle the holder of such certificate to practice medicine within the State of Texas unless he has been previously duly licensed as such practitioner by the Texas State Board of Medical Examiners, and prescribing the effect of such certificate as evidence in a prosecution for the unlawful practice of medicine; and further prescribing a penalty for failure to pay such annual registration fee; and further providing that the fund realized from the collection of such annual registration fee shall constitute a special fund, and defining the purposes for which said fund may be expended, and conferring certain powers and duties upon the Texas State Board of Medical Examiners; conferring certain powers and imposing certain duties upon

the Secretary-Treasurer of the Texas State Board of Medical Examiners, and prescribing his salary for the performance of the duties imposed upon him by this Act; and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. It shall be the duty of all persons now lawfully qualified and engaged in the practice of medicine of this State, as defined in Article 4510, Revised Statutes of 1925, or who shall hereafter be licensed for such practice by the Texas State Board of Medical Examiners, to be registered as such practitioners with the Texas State Board of Medical Examiners on or before the first day of January, A. D. 1930, and thereafter to register in like manner annually, on or before the first day of January of each succeeding year.

Each person so registering with the Texas State Board of Medical Examiners shall pay, in connection with each annual registration and for the certificate hereinafter provided for, a fee of Two Dollars (\$2.00), which fee shall accompany the application of every such person for such registration. Such payment shall be made to the Secretary-Treasurer of the Texas State Board of Medical Examiners. Every person so registering shall file with the Secretary-Treasurer of the Texas State Board of Medical Examiners a written application for annual registration, setting forth his full name, his age, his post office, his place of residence, the county or counties in which his certificate entitling him to practice medicine has been registered, and the place or places where he is engaged in the practice of medicine, as well as the school of medicine to which he professes to belong and the date of his certificate.

Upon receipt of such application, accompanied by the registration fee of Two Dollars (\$2.00), the Secretary-Treasurer of the Texas State Board of Medical Examiners, after ascertaining, either from the records of the Board or from other sources deemed by him to be reliable, that the applicant is a licensed practitioner of medicine in this State, shall issue to the applicant an annual registration certificate, certify-

ing that the applicant has filed such application and has paid the registration fee mentioned for the year in question; provided, that the filing of such application, the payment of the registration fee, and the issuance of such certificate shall not entitle the holder thereof to lawfully practice medicine within the State of Texas, unless he has in fact been previously licensed as such practitioner by the Texas State Board of Medical Examiners, as prescribed by law, and has recorded his certificate entitling him to practice, as issued by said Board, in the District Clerk's office of the several counties in which the same may be required by law to be recorded, and unless his license to practice medicine is in full force and effect; and provided further that, in any prosecution for the unlawful practice of medicine as denounced in Chapter 6, Title 12, of the Penal Code of Texas, such certificate showing payment of the annual registration fee required by this Act shall not be treated as evidence that the holder thereof is lawfully entitled to practice medicine.

Section 2. If any person required to register as a practitioner of medicine under the provisions of Section 1 of this Act shall fail, neglect or refuse to apply for such registration and pay the annual registration fee before the expiration of sixty days after the first day of January of each year, his license to practice medicine, previously issued to him, shall stand forfeited, so that, for thereafter practicing medicine, he shall be subject to the penalty imposed by Article 742 of the Penal Code of 1925 upon any person unlawfully practicing medicine in this State; provided, that such license shall be reinstated at any time upon written application of the holder, made to the Texas State Board of Medical Examiners, accompanied by payment of the annual registration fee in arrears, and an additional fee of One Dollar (\$1.00), and without examination or the performance of any other condition.

And provided further that when any such forfeited license is thus reinstated, the practitioner's license shall stand as if the same had never

been forfeited, and if any prosecutions have been filed or any penalties incurred on account of the practice of medicine by such practitioner during the period when such license stood forfeited, said prosecutions and penalties shall be completely abated, and such reinstatement shall be a complete defense to the same.

Section 3. All annual registration fees collected by the Secretary-Treasurer of the Texas State Board of Medical Examiners under this Act shall be placed in the State Treasury, to the credit of a special fund to be known as the "Medical Registration Fund," and all of said fund is hereby appropriated and shall be used by the Texas State Board of Medical Examiners, and under its direction, in the enforcement of the laws of this State prohibiting the unlawful practice of medicine, and in the dissemination of information to prevent the violation of such laws and aid in the prosecution of those who violate such laws. The Texas State Board of Medical Examiners shall be authorized to employ and to compensate from such special fund employees and such other persons as may be found necessary to assist the local prosecuting officers of any county in the enforcement of all the laws of the State prohibiting the unlawful practice of medicine, and to carry out the other purposes of which said fund is hereby appropriated.

The Secretary-Treasurer of the Texas State Board of Medical Examiners shall receive a salary of not more than Four Thousand Dollars (\$4,000.00) per annum, for the performance of the duties imposed upon him by this Act, and shall make and file a surety bond in favor of the Texas State Board of Medical Examiners, in the sum of not less than Ten Thousand Dollars (\$10,000.00), conditioned that he will faithfully discharge the duties of his office. His salary shall be paid out of said "Medical Registration Fund" and shall not be, in any way, a charge upon the general treasury of the State. The Texas State Board of Medical Examiners shall employ and provide such clerks and employees as may be necessary to assist the Sec-

retary-Treasurer in performing his duties and in carrying out the purpose of this Act; Provided, that the compensation of all persons authorized to be employed under this chapter shall be paid only out of said "Medical Registration Fund."

Sec. 4. This Act shall not be construed as repealing any part of Chapter Six of Title 71, Revised Civil Statutes of 1925, or Chapter Six of Title 12 of the Penal Code of 1925.

Sec. 5. The fact that it is desirable to have a State record properly kept, showing the number of persons engaged in the practice of medicine in this State, and showing where such persons are so engaged, and the fact that additional funds are needed to properly enforce the laws of this State, prohibiting the unlawful practice of medicine, and that additional power should be conferred on the Texas State Board of Medical Examiners to assist in such prosecutions and to aid in the enforcement of such laws, creates an emergency, which requires that the Constitutional Rule requiring bills to be read on three several days, be and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

MOORE,
BECK,
HOLBROOK,
WITT,
WIRTZ.

On the part of the Senate.

DUVALL,
ROGERS,
READER,
JOHNSON.

On the part of the House.

The report was read.

On motion of Senator Love, the previous question was ordered.

The report was adopted by the following vote:

Yeas—19.

Beck.	Patton.
Berkeley.	Pollard.
Cousins.	Stevenson.
DeBerry.	Thomason.
Hardin.	Williamson.
Holbrook.	Wirtz.
Hornsby.	Witt.
Love.	Woodul.
Miller.	Woodward.
Moore.	

Nays—5.

Cunningham.	McFarlane.
Gainer.	Parrish.
Martin.	

Absent.

Greer.	Small.
Parr.	Westbrook.
Russek.	

Absent—Excused.

Hyer.	Neal.
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Free Conference Report.

Senator Wirtz sent up the following Free Conference Committee Report:

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sirs: The Conference Committee appointed by the President of the Senate and the Conference Committee appointed by the Speaker of the House of Representatives to adjust the differences between the Senate and the House on

S. B. No. 82, A bill to be entitled "An Act to provide for the sale and lease of minerals in and on University lands; to provide for re-surveying, dividing and marketing said lands; prescribing the method of making and returning bids therefor; prescribing the minimum royalty and minimum rental thereon, authorizing the rejection of any and all bids therefor, and the sale thereof at open auction; prescribing duties of the Board of Regents of the University of Texas, providing for the execution of mineral leases on said lands, and repealing all laws in conflict therewith, and declaring an emergency."

Have had said bill under consideration and beg leave to report that we have reached an agreement as to said bill.

The substitute bill, as passed by the House, was taken as the basis for discussion and has been agreed to with changes and additions and we recommend that the bill hereto attached, being the bill finally

agreed to by this committee, be adopted as the act of both Houses.

WIRTZ,
HOLBROOK,
WITT,
WOODUL,
MILLER.

On the part of the Senate.

KEMBLE,
HOGG,
STOREY,
METCALFE.

On the part of the House.

**Conference Committee Substitute for
Senate Bill No. 82.**

An Act to provide for the sale of oil and gas in and on University lands; to create a Board to perform the duties with reference thereto provided hereby; to provide for surveying, dividing and marking of said lands; prescribing duties of the Board of Regents of the University of Texas and of the Commissioner of the General Land Office of the State of Texas, authorizing the employment of geologists and mineralogists, and other employees, and making an appropriation, and repealing all laws in conflict herewith, and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. A Board is hereby created to consist of the Commissioner of the General Land Office and two members of the Board of Regents of the University of Texas, neither of whom is employed either directly or indirectly by any oil or gas company, nor is an officer or attorney thereof, to be selected by said Board of Regents, who shall perform the duties hereinafter indicated; the Board shall be known as "Board for Lease of University Lands." The term "Board" wherever it appears hereafter in this Act shall mean "Board for Lease of University Lands." The Board shall keep a complete public record of all its proceedings.

Sec. 2. It is hereby made the duty of the Board to cause to be done such surveying or re-surveying of the blocks and subdivisions thereof of the University lands as may be necessary to enable the lines of the blocks and sections and fractional sections to be determined and identified and have such corners as may

be necessary to that end permanently marked. When it is impracticable to establish such lines and corners as originally surveyed, or when such sections have not been actually surveyed on the ground, the blocks shall be surveyed or re-surveyed and divided into surveys of sections and fractional sections and as many corners thereof as may be necessary for the identification shall be permanently marked. The surveyors employed to do such surveying shall be approved by said Board. The field notes of such surveyors shall be returned to the General Land Office, and when correct and in accordance with law, shall be approved by the Commissioner, filed in the General Land Office and become archives therein.

Sec. 3. The oil and gas in the University land shall be subject to sale on and after June 1, 1929, under the regulations, at the times and on the terms provided herein, together with such rules and regulations as may be authorized herein to be adopted by the Board, but not inconsistent with the provisions of this Act.

Sec. 4. Whenever there shall be such demand for the purchase of the oil and gas in any one or more separate whole surveys of sections or fractional sections of University land as will reasonably insure that said oil and gas may be sold advantageously, the Board shall place said oil and gas in said lands on the market in separate whole surveys only or in subdivisions of said surveys. It shall cause to be advertised a brief description of the land from which the oil and gas is proposed to be sold and that sealed bids for the purchase of said oil and gas by lease will be opened at a designated day, at ten o'clock a. m. on that day, and that sealed bids received up to that time will be considered. Said advertisement shall be made:

(a) By insertion in two or more papers of general circulation in this State.

(b) By mailing a copy thereof to the County Clerk and County Judge of every County in this State.

(c) In addition to the two foregoing mandatory provisions, the Board may in its discretion, cause said advertisement to be placed in oil and gas journals in and out of

the State and to be mailed generally to such persons as they think might be interested.

Sec. 5. All bids shall be directed to the said Board in care of the General Land Office of the State of Texas, and shall be retained by the Commissioner of the General Land Office until the day designated for the opening of bids and upon that day the said Board, or a majority of its members shall open said bids and shall list and file and register all bids and money received. A separate bid shall be made for each whole survey or subdivision thereof. No bid shall be accepted which offers a royalty of less than one-eighth of the gross production of oil and gas in the land bid upon, and this minimum royalty may be increased at the discretion of the Board, all members concurring, before the promulgation of the advertisement of the land. Every bid shall carry the obligation to pay an amount not less than ten cents per acre for delay in drilling, such amount to be fixed by the Board in advance of the advertisement, and which shall be paid every year for five years, unless in the meantime production in paying quantities is had upon the land.

Sec. 6. Every bid shall be accompanied by a payment equal to the minimum price fixed on the land per acre for delay in drilling of the land bid for, which amount will constitute the first year rental payment for delay in drilling if the bid is accepted. The bid shall further indicate the royalty the bidder is willing to pay, which royalty shall not be less than one-eighth of the gross production. The bid shall further name such amount as the bidder may be willing to pay in addition to the royalty and the annual payment herein provided for, and shall be accompanied by cash or checks collectible in Austin to cover said amounts.

Sec. 7. If any one of the bidders shall have offered a reasonable and proper price therefor, not less than the price fixed by the Board, the lands advertised, or any whole survey or subdivision thereof, may be leased for oil and gas purposes under the terms of this Act and such regulations as the Board may prescribe, not inconsistent with the provisions of this Act. If after any bidding by sealed bids the Board

should reject all bids, as it is hereby authorized to do, it may thereafter offer for sale and sell the oil and gas in said lands, in separate whole surveys only or subdivisions thereof, by open public auction to be held at a time and place designated by the Board and after adequate and proper notice, but no disposition shall be made of said oil and gas in said lands at such public auction at a price less than the price offered by the sealed bids. All bids may be rejected. In the event of no sale at public auction, any subsequent procedure for the sale of said oil and gas leases shall be in the manner above provided.

Sec. 8. If the Board shall determine that a satisfactory bid has been received for said oil and gas, it shall make an award to the applicant, offering the highest price therefor, and a lease shall be executed by the Commissioner of the General Land Office. A duplicate copy of such lease shall be filed in the General Land office. Whenever the royalties shall amount to as much as the yearly payment as fixed by the Board, the yearly payment may be discontinued. If before the expiration of three years oil and gas in paying quantities shall not have been produced, the lease shall terminate. The lease shall include such additional provisions and regulations as the Board may prescribe to preserve the interest of the State and safeguard the interests of the University funds, but not inconsistent with the provisions of this Act.

Sec. 9. If during the term of any lease issued under the provisions of this Act the lessee shall be engaged in actual drilling operations for the discovery of oil and gas on land covered by any such lease, no rentals shall be payable as to the tract on which such operations are being conducted so long as such operations are proceeding in good faith; and in the event oil and gas is discovered in paying quantities on any tract covered by any such lease, then the lease as to such tract shall remain in force so long as oil or gas is produced in paying quantities from such tract. In the event of the discovery of oil or gas on any tract covered by a lease issued hereunder or on any land adjoining same, the lessee shall conduct such operations as may be necessary to prevent drainage from

the tract covered by such lease and to properly develop the same. Failure to comply with the obligations provided by this section shall subject the holder of the lease to the penalties provided in Sections 12 and 13 of this Act.

Sec. 10. Title to all rights purchased may be held by the owners so long as the area produces oil and gas in paying quantities. All rights purchased may be assigned in quantities of not less than forty acres, unless there be less than forty acres remaining in any survey, in which case such lesser area may be so assigned. All assignments shall be filed in the General Land Office within one hundred days after the date of the first acknowledgment thereof, accompanied by ten cents per acre for each acre assigned, and if not so filed and payment made, the assignment shall be ineffective. All rights to any whole survey and to any assigned portion thereof may be relinquished to the State at any time by having an instrument of relinquishment recorded in the county or counties in which the area may be situated and filed in the Land Office accompanied with one dollar for each area assigned, but such assignment shall not relieve the owner of any past due obligations theretofore accrued thereon. The Board shall authorize the laying of pipe lines, telephone lines and the opening of such roads over the University lands as may be deemed reasonably necessary for and incident to the purposes of this Act.

Sec. 11. Royalty as stipulated in the sale shall be paid to the General Land Office at Austin, Texas, for the benefit of the University Permanent Fund on or before the twentieth day of each succeeding month for the preceding month during the life of the rights purchased and it shall be accompanied by the sworn statement of the owner, manager or other authorized agent showing the gross amount of oil produced and saved since the last report and the amount of gas produced and sold off the premises and the market value of the oil and gas, together with a copy of all daily guages of tanks, gas meter readings, pipe line receipts, gas line receipts, and other checks and memoranda of the amounts produced and

put into pipe lines, tanks or pools and gas lines or gas storage. The books and accounts, receipt and discharges of all wells, tanks, pools, meters, pipe lines and all contracts and other records pertaining to the production, transportation, sale and marketing of the oil and gas shall at all times be subject to inspection and examination by the Commissioner of the General Land Office, the Attorney General, the Governor, or any member of the Board of Regents of the University of Texas, or the representative of either.

Sec. 12. In every case where the area in which the oil and gas sold shall be contiguous or adjacent to land not University land, the acceptance of the bid and the sale made thereby shall constitute an obligation on the owner thereof to adequately protect the land leased from drainage from adjacent lands. In cases where the area in which the oil and gas sold is contiguous to other University lands leased or sold, at a lesser royalty, the owner shall likewise protect the State from drainage from the land so leased or sold for a lesser royalty. Upon failure to protect the land from drainage as herein provided the sale and all rights thereunder may be forfeited by the Board in the manner elsewhere provided herein for forfeitures.

Sec. 13. If the owner of the rights acquired under this Act shall fail or refuse to make the payment of any sum due thereon, either as rental or royalty on the production within thirty days after same shall become due, or if such owner or his authorized agent should make any false return or false report concerning production, royalty or drilling, or if such owner shall fail or refuse to drill any offset well or wells in good faith, as required by his lease, or if such owner or his agent should refuse the proper authority to access to the records and other data pertaining to the operations under this Act, or if such owner, or his authorized agent, should fail or refuse to give correct information to the proper authorities, or fail or refuse to furnish the log of any well within thirty days after production is found in paying quantities, or if any of the material terms of the lease should be violated, such lease shall be sub-

ject to forfeiture by the Board by an order entered upon the minutes of the Board reciting the facts constituting the default, and declaring the forfeiture. The Board may, if it so determines, have suit instituted for forfeiture through the Attorney General of the State. Upon proper showing by the forfeiting owner, within thirty days after the declaration of forfeiture, the lease may, at the discretion of the Board and upon such terms as it may prescribe, be reinstated. In case of violation by the owner of the lease contract, the remedy of the State by forfeiture shall not be the exclusive remedy, but suit for damages or specific performance, or both, may be instituted. The State shall have a first lien upon all oil and gas produced upon the leased area and upon all rigs, tanks, pipe line, telephone lines and machinery and appliances used in the production and handling of oil and gas produced thereon, to secure any amount due from the owner of said lease.

Sec. 14. All surveys, files, records, copies of sale and lease contracts, and all other records pertaining to the sales and leases hereby authorized shall be filed in the General Land Office and constitute archives thereof. Payment hereunder shall be made to the Commissioner of the General Land Office at Austin, Texas, who shall transmit to the State Treasurer all royalty for deposit to the credit of the Permanent University Fund and all rentals for delay in drilling and all other payments, including all filing, assignment and relinquishment fees hereunder to the credit of the Available University Fund.

Sec. 15. The Board is authorized to employ a geologist and a mineralogist who shall keep informed with reference to the minerals in University lands and all activities under this and previous leases and sales and shall report to the Board all information gained with reference thereto. The Board is also authorized to employ other necessary employees. The salaries of such employees shall be paid monthly, and no salary shall be paid in excess of Six Thousand (\$6,000.00) Dollars per annum.

Sec. 16. The expenses of executing the provisions of this Act shall

be paid monthly by warrants drawn by the Comptroller on the State Treasurer, and for that purpose the sum of Twenty Thousand (\$20,000.00) Dollars or as much thereof as may be necessary is hereby appropriated until September 1, 1929.

Sec. 17. If any provision hereof should be held unconstitutional, the balance of the Act shall not be affected thereby.

Sec. 18. The Board shall adopt proper forms and regulations, rules and contracts as will in its best judgment protect the income from lands leased hereunder. A majority of the Board shall have power to act in all cases, except where otherwise herein provided. The Board may reject any and all bids, and shall have the further right to withdraw any lands advertised for lease prior to receiving and opening bids. Any and all laws or parts of laws in conflict with this Act are hereby repealed.

Sec. 19. Since there is no law authorizing the sale of oil and gas leases on University lands this fact creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three separate days in each House be suspended and that this be placed upon third reading and final passage and take effect from and after passage, and it is so enacted.

The report was read and adopted by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.

Absent.

Miller.

Absent—Excused.

Hyer.

Neal.

Motion to Concur.

Senator Beck moved to concur in the House amendment to S. B. No. 314. The motion prevailed by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Nay—1.

McFarlane.

Absent—Excused.

Hyer.

Neal.

House Bill Referred.

H. B. No. 116, referred to Committee on State Affairs.

House Bill No. 495.

The Chair laid before the Senate as special order the following bill:

By Mr. Gilbert, Mr. Murphy and Mr. Hubbard:

H. B. No. 495, A bill to be entitled "An Act relating to the registration of motor vehicles, trailers and semi-trailers; prescribing the license fees required for their registration; providing for the distribution and apportionment of all license fees collected pursuant to this Act."

The bill was read second time.

Senator Williamson sent up the following amendment:

Amend Committee Substitute to H. B. No. 495 by striking out all of Section Five and inserting in lieu thereof the following:

The annual license fee for the registration of motorcycles shall be \$3.00. The amount of license fee for the registration of passenger automobiles shall be \$5.00.

The amendment was read.

Recess.

On motion of Senator Witt, the

Senate, at 11:43 a. m., recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Motion to Appoint Committee.

Senator Berkeley moved that the Chair appoint a Committee of three to pick out all purely local bills on the Calendar and among the House bills as they come over and that these bills be given precedence in the session tonight. The motion prevailed.

The Chair appointed Senators Berkeley, Holbrook, and Cunningham.

House Bill No. 495.

The question recurred upon Senator Williamson's amendment to the Committee substitute for H. B. No. 495.

Senator Witt sent up the following resolution:

By Witt.

S. S. R. No. 96.

Whereas, This session of the Legislature is now in its closing hours; and

Whereas, The further consideration of H. B. No. 495 means the inability to consider many meritorious bills now on the calendar of both the Senate and the House; and

Whereas, the matter of the registration fees on automobiles as dealt with in said bill should be dealt with along with legislation providing for a gasoline tax; and

Whereas, The legislation dealing with the gasoline tax must originate in the House, and no such bill has reached this Senate as yet from the House dealing with same, and there is no possibility of same reaching the Senate at this present session; and

Whereas, Any reduction in automobile registration fees granted by legislation at this time could not materially affect fees for the year 1929, and the postponement of same to the first called session will not work any hardship on automobile owners,

Therefore be it resolved that the further consideration of H. B. No.

495 be indefinitely postponed and that the Governor be and he is hereby requested to submit the same to the first called session of the 41st Legislature, along with the matter of gasoline tax.

WITT.

The resolution was read.

Senator Wirtz moved the previous question. The previous question was ordered.

The resolution was lost by the following vote:

Yeas—7.

Gainer.	Wirtz.
Greer.	Witt.
Holbrook.	Woodul.
Parr.	

Nays—19.

Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Hardin.	Small.
Hornsby.	Stevenson.
Love.	Thomason.
Martin.	Westbrook.
McFarlane.	Williamson.
Miller.	Woodward.
Moore.	

Absent.

Beck.	Russek.
Cousins.	

Absent—Excused.

Hyer.	Neal.
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The question recurred upon Senator Williamson's amendment to the Committee substitute.

Senator Wirtz moved to table the amendment. The motion prevailed by the following vote:

Yeas—20.

Berkeley.	McFarlane.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Wirtz.
Hornsby.	Witt.
Love.	Woodul.

Nays—9.

Beck.	Moore.
Martin.	Parrish.
Miller.	Thomason.

Westbrook.	Woodward.
Williamson.	

Absent—Excused.

Hyer.	Neal.
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Senator Williamson sent up the following amendment:

Amend Committee Substitute to H. B. No. 495 by striking out all of Section Five and inserting in lieu thereof the following:

The annual license fee for the registration of motorcycles shall be \$5.00. The annual license fee for the registration of passenger automobiles shall be based upon the weight of the vehicle, as follows:

Wgt. Lbs.	Fee per 100 Lbs. or frac- tion thereof
1 to 2000	_____ \$.28
2001 to 3500	_____ .36
3501 to 4500	_____ .48
4501 and up	_____ .50

WILLIAMSON.

The amendment was read.

Senator Greer moved that further consideration of this amendment and the bill be postponed until tomorrow morning.

The motion was lost by the following vote:

Yeas—11.

Beck.	Pollard.
Cousins.	Stevenson.
Gainer.	Wirtz.
Greer.	Witt.
McFarlane.	Woodul.
Parr.	

Nays—14.

Berkeley.	Moore.
Cunningham.	Russek.
DeBerry.	Small.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Woodward.

Absent.

Holbrook.	Parrish.
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Absent—Excused.

Hyer.	Neal.
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(Pairs Recorded.)

Senator Miller (present), who would vote nay with Senator Patton (absent), who would vote yea.

Senator Love moved the previous question. The previous question failed to receive five seconds.

Senator Stevenson moved to reconsider the vote by which the Senate refused to postpone indefinitely the further consideration of this bill.

Senator Love moved to table the motion. Motion to table prevailed by the following vote:

Yeas—17.

Berkeley.	Moore.
Cunningham.	Pollard.
DeBerry.	Russek.
Hardin.	Small.
Hornsby.	Thomason
Love.	Westbrook.
Martin.	Williamson.
McFarlane.	Woodward.
Miller.	

Nays—8.

Beck.	Stevenson.
Cousins.	Wirtz.
Gainer.	Witt.
Greer.	Woodul.
Holbrook.	

Absent.

Patton.

Absent—Excused.

Hyer. Neal.

(Pairs Recorded.)

Senator Parrish (present), who would vote aye with Senator Parr (absent), who would vote nay.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 755.	S. B. No. 549.
H. B. No. 509.	S. B. No. 314.
H. J. R. No. 7.	

Senate Bill No. 613.

Senator Berkeley received unanimous consent to take up out of its regular order the following bill:

S. B. No. 613. A bill to be entitled "An Act amending an Act approved February 11, 1929, creating the One Hundred and Ninth Judicial District, the same being S. B. No. 9, so as to correct the defective emergency

clause and place said Act in immediate effect; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended.

The committee report was adopted.

On motion of Senator Berkeley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 613 was put on its second reading by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read second time and passed to engrossment.

On motion of Senator Berkeley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 613 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason
Holbrook.	Westbrook.
Hornaby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on S. B. No. 82 by a vote of 103 yeas and 5 nays.

S. B. No. 82, A bill to be entitled "An Act to provide for the sale and lease of minerals in and on University lands; to provide for re-surveying, dividing and marketing said lands; prescribing the method of making and returning bids therefor; prescribing the minimum royalty and minimum rental thereon; authorizing the rejection of any and all bids therefor, and the sale thereof at open auction; prescribing duties of the Board of Regents of the University of Texas and of the Commissioner of the General Land Office of Texas; providing for the execution of mineral leases on said lands, and repealing all laws in conflict therewith; and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:
H. C. R. No. 38, Relating to the Suspension of Rules.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

By Senator Neal:

S. B. No. 344, A bill to be entitled "An Act relating to the sale of and defining agricultural seeds and mixed seeds; requiring the filing of representative samples and statements of quality of seed by seed dealers; prohibiting mixtures of seeds unless so labeled; etc."

By Senators Holbrook, Woodul:

S. B. No. 190, A bill to be entitled "An Act making an emergency appropriation out of the Sand, Shell and Gravel Fund of this State to pay certain refunds of the tax collected by the Game, Fish and Oyster Commissioner on sand, shell and gravel used by counties and cities or towns for constructing streets and roads, and declaring an emergency."

By Senators Greer, Thomason and Witt:

S. B. No. 503, A bill to be entitled "An Act making an appropriation of \$28,911.47 or so much thereof as may be necessary, payable out of the General Revenue not otherwise appropriated and appropriating all other current revenue or so much thereof as may be necessary, to be derived from the operation of the Texas State Railroad until August 31, 1929, and to be deposited in the State Treasury; said appropriations being for the traveling, clerical and other expenses of the Board of Managers and all other expenses connected with the sale and maintenance, operation or lease of said railroad, and being for the period up to and including August 31, 1931; and declaring an emergency."

By Mr. McCombs:

H. B. No. 314, A bill to be entitled "An Act adding Article 3202a, changing the name of the Deaf and Dumb Asylum to Texas School for

the Deaf, etc., and declaring an emergency."

By Mr. Quinn:

H. B. No. 194, A bill to be entitled "An Act to aid the city of Port Arthur in the construction of a sea wall, breakwater or revetment work, so as to protect said city from calamitous overflows, by donating to said city all the State ad valorem taxes collected on property in Port Arthur and precinct No. 2, in Jefferson county, from persons in precinct No. 2, in Jefferson county, for a period of ten years."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to adopt the Free Conference Committee Report on S. B. No. 126 and requests that a new Free Conference Committee be appointed to further consider the differences between the two Houses. The following are appointed on the part of the House:

Purl, Hornaday, Mrs. Moore, Long of Wichita, and Graves of Williamson.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

By Senator Berkeley:

S. B. No. 187, A bill to be entitled "An Act appropriating the sum of \$25,000.00 to cooperate with the Department of the Interior of the United States Government to investigate reservoir sites and reservoir conditions on the Pecos river authorizing the Governor to draw upon such funds and regulating the expenditure thereof, and creating an emergency."

By Senator Hyer:

S. B. No. 479, A bill to be entitled "An Act to amend Article 5053, Re-

vised Statutes, 1925, relating to discrimination and other practices in connection with the sale of life insurance policies, so as to better regulate the sale of stocks, bonds and other securities in connection with life insurance policies, and declaring an emergency."

With amendments.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 39, Recalling H. B. No. 313 from the Governor's office to correct an error made in the House.

Respectfully submitted

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. C. R. No. 38.

The Chair laid before the Senate the following resolution:

Whereas, After Monday at twelve o'clock no Senate or House bills may be considered on second reading, according to paragraphs 3 and 4 of Section 5, of Rule XIX, Rules of the House of Representatives, and

Whereas, It is necessary to suspend this rule in order to consider important bills on their second reading, therefore, be it

Resolved, That the seventy-two hour rule relating to Senate and House bills be and the same is hereby suspended until Wednesday, twelve o'clock noon.

DAVIS,
PETSCH,
WALLACE.

The resolution was read and adopted.

Senate Bill No. 596.

Senator Gainer moved to reconsider the vote by which S. B. No. 596 was finally passed.

The motion prevailed.

The bill was read third time.

Senator Gainer sent up the following amendment:

Amend S. B. No. 596 by adding a

new section thereto to be numbered Section 4.

Sec. 4. The fact that the near approach of the sine die adjournment of this session and the importance of this Act creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and such rule is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

And amend the caption to conform.

GAINER.

The amendment was read and unanimously adopted.

The bill as amended finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bills Referred.

H. B. No. 194, referred to Committee on State Affairs.

H. B. No. 314, referred to Committee on State Affairs.

Free Conference Granted.

The Senate voted to grant the request of the House for a new Free Conference Committee on S. B. No. 126. The Chair appointed the following on the part of the Senate:

Senators Moore, Beck, Hornsby, Love, and Woodward.

Communication Relative to Confederate Pension Law.

The Chair laid before the Senate the following communication which

was ordered printed in the Journal: Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Austin, Texas.

My Dear Sir:

I notice in the Morning Press of March 10, a statement carrying the headlines "Senate Mistake Takes Pension From Widows." It is my purpose in this statement to make it plain to the Confederate Veterans, the widows of the Confederate Veterans, and the public in general, that there has been no mistake made and if there be some who think so, in that case it is my desire to entirely exonerate the Senate of Texas and the House of Representatives from having any part in making a mistake and place that blame if any, upon the three organizations of Confederacy of Texas, and a legislative committee of six from each of these organizations of which I was General Chairman of the committee as a whole.

This committee has been considering during the year 1928, the changes necessary in the Confederate pension law of Texas in order that those in dire necessity drawing a pension might be more adequately cared for. These committees in my opinion, has made as careful survey as could possibly be made of the needs of the pensioners upon the pension roll and after learning from an opinion written by the Attorney General of Texas, that the pension fund could not be supplemented except by the submission of a constitutional amendment to the people. The survey shows the following results:

That there were in Texas 300 living Confederate Veterans who were married caring for themselves in their humble homes in the remote parts of this State, and whose average age was eighty-seven years, the average age of their wives seventy-five years, and no income except their Confederate pension, and that they had been married continuously and lived together all of the years since Jan. 1, 1900. We further found that there were in Texas, 2,800 Veterans who were married after the year 1900 or were either bachelors or widowers and 300 other

Veterans in the Texas Confederate Home at Austin. We also found that there were 8,500 widows of Confederate Veterans, 8,000 of which were drawing a pension, and about 500 who would be entitled to a pension under the new law, and that the average age of these widows was seventy-two years and the Veterans average age on the pension roll eighty-seven years, and that three-fourths of said widows were under seventy-five years of age or the sec-

ond or third wife of a Confederate Veteran.

After obtaining these results of the survey we then called up the pension Commissioner to further verify these facts and we found that for the quarter commencing Sept. 1, and ending Nov. 30, 1928, that the State Comptroller had issued warrants to the following pensioners for said quarter totaling the amount set forth in the statement below.

No. Veterans	per quarter	Amount	Total
3000 Veterans in State	\$ 56.00	\$168,000	
300 Veterans in Confed. Home	28.00	8,400	\$176,400
Widows			
7900 widows in State	56.00	442,400	
100 widows in Womans. Con. H.	28.00	2,800	445,200
11300 total number of pensioners			\$621,600

After finding these conditions the committee began a consideration on a plan that would be just and equitable to all concerned, and after a unanimous vote, of said committee as a whole, the pension law as

passed by the Forty-first Legislature and recently signed by the Governor was adopted, passed upon the following schedule allotments to be paid to Confederate pensioners under the provisions of the new law,

No. Veterans	per quarter	Amount	Total
2700 Veterans in State	\$ 75.00	\$202,500	
300 Veterans married in State	150.00	45,000	
300 Veterans in Confed. Home	37.50	11,250	\$258,750
Widows			
7900 widows in State	54.00	426,000	
100 widows in Woman's Con. H.	27.00	2,700	428,000
11300 total number of pensioners		\$687,450	\$687,450

The fact that the widows have heretofore been drawing \$2.50 to the Veterans \$1.00 per quarter pension and the further fact that the 3,300 Veterans on the pension roll average age is eighty-seven years, and the average age of the 8,000 widows on the pension roll was only seventy-two years, it was decided there could be no successful claim made of discrimination in favor of the Veterans so long as the widows were drawing one-half of the amount of the income of more than \$2,500,000 of the pension fund annually, or until the Veteran who bared his breast to the shot and shell of the enemy in the cause of Southern Confederacy, and State rights had received monthly a pension of \$50.

The committees after considering all of the above facts was unani-

mously of the opinion that the pension bill as passed is just, equitable, and without discrimination and should be tested for a period of at least twelve months in order to show that the present income annually will take care of the pensioners when the death rate which was for the Veterans in 1928 20 per cent, while for the widows it was only 10 per cent, the widows enjoying the benefit of the death rate until her pension reaches that of the Veteran, after which time the Veterans participate in the death rate until all pensioners shall receive the maximum of \$50 per month. From the survey made the law will not add exceeding 600 pensioners to the pension roll and there was more than 600 pensioners died during the past months of December, January

and February, as shown by the pension rolls. In the compilation of these figures any overdraft in the pension fund account in the State Treasury on February 1, 1929, was not considered.

Yours respectfully,

A. W. TABER,

General Chairman, Three Committees of Confederacy.

H. C. R. No. 39.

The Chair laid before the Senate the following resolution.

Recalling House Bill No. 313.

Whereas, H. B. No. 313 has been finally passed by the House and the Senate and is now on the desk of the Governor, and

Whereas, through an error in the Free Conference Report which was adopted by both houses, which conflicts with the present law on the subject,

Now Therefore, Be It Resolved by the House of Representatives, the Senate concurring, that the Governor be requested to return said H. B. No. 313 to the House, for further consideration.

SANDERS.

The resolution was read and adopted.

Motion to Concur.

Senator Witt moved to concur in the House amendments to S. B. No. 220. The motion prevailed by the following vote:

Yeas—26.

Berkeley.	Parr.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Nays—1.

Parrish.

Absent.

Beck. Westbrook.
Holbrook.

Absent—Excused.

Hyer.

Neal.

Recess.

Senator Russek moved to recess until 8:00 o'clock p. m. The motion prevailed by the following vote:

Yeas—13.

Cousins.	Russek.
Greer.	Small.
McFarlane.	Stevenson.
Miller.	Wirtz.
Parr.	Witt.
Patton.	Woodul.
Pollard.	

Nays—11.

Berkeley.	Martin.
Cunningham.	Moore.
DeBerry.	Thomason.
Hardin.	Williamson.
Hornsby.	Woodward.
Love.	

Absent.

Beck.	Parrish.
Gainer.	Westbrook.
Holbrook.	

Absent—Excused.

Hyer.

Neal.

At 5:20 o'clock p. m. the Senate recessed until 8:00 o'clock tonight.

After Recess.

The Senate met at 8:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

House Bill No 735.

The Chair laid before the Senate on second reading the following bill:

By Mr. Montgomery:

H. B. No. 735, A bill to be entitled "An Act creating and validating Hidalgo County Water Control and Improvement District No. 7."

The Committee report was adopted. The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 735 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.	Neal.
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The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.	Neal.
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House Bill No. 117.

The Chair laid before the Senate on second reading the following bill:

By Mr. Finlay:

H. B. No. 117, A bill to be entitled "An Act regulating the season for taking fur-bearing animals, and regulating the taking of and traffic in hides and skins taken from fur-bearing animals."

The Committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator McFarlane the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 117 was put on its third reading

and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.	Neal.
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The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.	Neal.
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House Bill No. 709.

The Chair laid before the Senate on second reading the following bill:

By Mr. Harrison, Mr. McGill and Mr. Pool:

H. B. No. 709, A bill to be entitled "An Act fixing a closed season for hunting or killing any deer in the counties of Hudspeth and El Paso for a period of five years from the effective date of this passage, and prescribing a penalty for violation of any provisions of this act."

Senator Berkeley moved that further consideration of this bill be indefinitely postponed. The motion prevailed.

House Bill No. 518.

The Chair laid before the Senate on second reading the following bill:

By Mr. Heaton, Mr. Renfro, Mr. Snelgrove, Mr. Palmer, Mr. Sanders, Mr. Williams, Mr. Walters and Mr. Quinn:

H. B. No. 518 A bill to be entitled "An Act providing for the open season on squirrels in certain counties; providing penalty, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Thomason the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 518 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Present—Not Voting.

DeBerry.

Absent—Excused.

Hyer.

Neal.

House Bill No. 711.

The Chair laid before the Senate on second reading the following bill:

By Mr. Woodall:

H. B. No. 71, A bill to be entitled "An Act to protect the rights of the public to fishing and hunting and for park purposes in the waters of Caddo Lake and lands adjacent thereto, withdrawing such lands from sale and preserving it for fish and game and for State park purposes as may be hereafter provided; providing that such land may be leased for mineral purposes in accordance with the law, but not otherwise sold."

The Committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Thomason the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 711 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Parr.	Woodward.
Parrish.	

Absent—Excused.

Hyer. Neal.

House Bill No. 554.

The Chair laid before the Senate on second reading the following bill:

By Mr. Maynard:

H. B. No. 554, A bill to be entitled "An Act to prohibit the hunting trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the county of Bastrop, State of Texas, for a period of five years from and after the passage of this Act."

The Committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Gainer, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 534 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 232.

The Chair laid before the Senate on second reading the following bill:

By Mr. Young:

H. B. No. 232, A bill to be entitled "An Act placing a closed season on wild prairie chickens in certain counties; providing a penalty for the violation of same, and declaring an emergency."

The committee report, carrying a substitute, was adopted.

Read second time.

Senator Small sent up the following amendment:

Amend Committee Substitute H. B. No. 232 as follows: Add to Section 2 the following: Provided that there shall be no open season on wild prairie chicken in Collingsworth and Wheeler counties for a period of two years.

SMALL.

Read and adopted.

The bill as amended passed to third reading.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 232 was put on its third reading and final sage, by the following vote:

Yeas—29.

Beck.	Hornsby.
Berkeley.	Love.
Cousins.	Martin.
Cunningham.	McFarlane.
DeBerry.	Miller.
Gainer.	Moore.
Greer.	Parr.
Hardin.	Parrish.
Holbrook.	Patton.

Pollard.	Williamson.
Russek.	Wirtz.
Small.	Witt.
Stevenson.	Woodul.
Thomason.	Woodward.
Westbrook.	

Absent—Excused.

Hyer. Neal.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 730.

The Chair laid before the Senate
on second reading the following bill:

By Mr. Graves of Williamson and
Mr. Mankin:

H. B. No. 730, A bill to be entitled
"An Act making it unlawful to take
or kill wild squirrels in Williamson
county during certain months of the
year, and providing that the re-
mainder of the year shall be an open
season for killing wild squirrels."

The committee report was adopted.

The bill was read second time and
passed to third reading.

On motion of Senator Hornsby,
the constitutional rule requiring bills
to be read on three several days was
suspended and H. B. No. 730 was put
on its third reading and final pas-
sage, by the following vote:

Yeas—29.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hornsby.
Cunningham.	Love.
DeBerry.	Martin.
Gainer.	McFarlane.
Greer.	Miller.

Moore.	Thomason.
Parr.	Westbrook.
Parrish.	Williamson.
Patton.	Wirtz.
Pollard.	Witt.
Russek.	Woodul.
Small.	Woodward.
Stevenson.	

Absent—Excused.

Hyer. Neal.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 723.

The Chair laid before the Senate
on second reading the following bill:

By Mr. Murphy:

H. B. No. 723, A bill to be entitled
"An Act authorizing the commission-
ers' court of Polk county to employ
a deputy in aid of the regularly
elected sheriff of said county."

The bill was read second time and
passed to third reading.

On motion of Senator McFarlane,
the constitutional rule requiring bills
to be read on three several days was
suspended and H. B. No. 723 was put
on its third reading and final pas-
sage, by the following vote:

Yeas—29.

Beck.	Hornsby.
Berkeley.	Love.
Cousins.	Martin.
Cunningham.	McFarlane.
DeBerry.	Miller.
Gainer.	Moore.
Greer.	Parr.
Hardin.	Parrish.
Holbrook.	Patton.

Pollard.	Williamson.
Russek.	Wirtz.
Small.	Witt.
Stevenson.	Woodul.
Thomason.	Woodward.
Westbrook.	

Absent—Excused.

Hyer. Neal.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 692.

The Chair laid before the Senate
on second reading the following bill:
By Mr. Cox of Limestone:

H. B. No. 692, A bill to be entitled
"An Act providing a mode by which
horses, mules, jacks, jennets, cattle,
hogs, sheep and goats may be pre-
vented from running at large in
Limestone county."

The committee report was adopted.

The bill was read second time and
passed to third reading.

On motion of Senator Witt, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 692 was put
on its third reading and final pas-
sage, by the following vote:

Yeas—29.

Beck.	Love.
Berkeley.	Martin.
Cousins.	McFarlane.
Cunningham.	Miller.
DeBerry.	Moore.
Gainer.	Parr.
Greer.	Parrish.
Hardin.	Patton.
Holbrook.	Pollard.
Hornsby.	Russek.

Small.	Wirtz.
Stevenson.	Witt.
Thomason.	Woodul.
Westbrook.	Woodward.
Williamson.	

Absent—Excused.

Hyer. Neal.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 555.

The Chair laid before the Senate
on second reading the following bill:
By Mr. Baker:

H. B. No. 555, A bill to be entitled
"An Act fixing the bag limit on doves
and quail in Wood county, declar-
ing the violation of such law to be
a misdemeanor."

The committee report was adopted.

The bill was read second time and
passed to third reading.

On motion of Senator Pollard the
constitution rule requiring bills to
be read on three several days was
suspended and H. B. No. 555 was
put on its third reading and final
passage, by the following vote:

Yeas—29.

Beck.	Love.
Berkeley.	Martin.
Cousins.	McFarlane.
Cunningham.	Miller.
DeBerry.	Moore.
Gainer.	Parr.
Greer.	Parrish.
Hardin.	Patton.
Holbrook.	Pollard.
Hornsby.	Russek.

Small.	Wirtz.
Stevenson.	Witt.
Thomason.	Woodul.
Westbrook.	Woodward.
Williamson.	

Absent—Excused.

Hyer.	Neal.
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Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.	Neal.
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House Bill No. 61.

The Chair laid before the Senate
on second reading the following bill:
By Mr. McCombs:

H. B. No. 61, A bill to be entitled
"An Act creating Dallas county fresh
water supply district No. 9."

The committee report was adopted.

The bill was read second time and
passed to third reading.

On motion of Senator Love the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 61 was
put on its third reading and final
passage, by the following vote:

Yeas—29.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
McFarlane.	Wirtz.

Witt.	Woodward.
Woodul.	

Absent—Excused.

Hyer.	Neal.
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Read third time and finally passed
y the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.	Neal.
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House Bill No. 62.

The Chair laid before the Senate
on second reading the following bill:

By Mr. McCombs:

H. B. No. 62, A bill to be entitled
"An Act creating Dallas county Bev-
erly Hills fresh water supply district
No. 2."

The committee report was adopted.

The bill was read second time and
passed to third reading.

On motion of Senator Love the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 62 was put
on third reading and final passage
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

By Senator Parr:

S. B. No. 448, A bill to be entitled "An Act to provide more adequate compensation for county judges in counties which have voted road and bridge bonds amounting to six million dollars or more, and in addition flood protection bonds amounting to one million dollars or more, and providing for the employment of a stenographer for such judges, and declaring an emergency."

With amendments.

By Senator Westbrook:

S. B. No. 511, A bill to be entitled "An Act to establish and maintain an agricultural experiment station in the Fifth Senatorial District of Texas, etc., and declaring an emergency."

By Senators Patton, Thomason, Gainer, Greer, Small, Williamson, and Cousins:

S. B. No. 570, A bill to be entitled "An Act providing for the preser-

vation of the Old San Antonio Road running through the State of Texas from Pendleton on the Sabine to Presidio in West Texas; etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 85.

The Chair laid before the Senate on second reading the following bill:

By Mr. McCombs, Mr. Holder, Mr. Keller and Mr. Savage:

H. B. No. 85, A bill to be entitled "An Act to amend Chapter 176 of the General Laws of the Thirty-eighth Legislature so as to increase the salary of the judge of the county court of Dallas county at Law No. 1, and the judge of the county court of Dallas county at law No. 2, from Thirty-six Hundred (\$3,600.00) Dollars per annum to Five Thousand (\$5,000.00) Dollars per annum; prescribing the method of payment, and declaring an emergency."

On motion of Senator Love, the bill was laid on the table subject to call.

House Bill No. 89.

The Chair laid before the Senate on second reading the following bill:

By Mr. McCombs:

H. B. No. 89, A bill to be entitled "An Act to amend Section 10 of Chapter 25, of the General and Special Laws of the Regular Session of the Fortieth Legislature, so as to increase the salary of the judge of the county criminal court of Dallas county, Texas, to Five Thousand (\$5,000.00) Dollars per year, and to declare an emergency."

On motion of Senator Love, the bill was laid on the table subject to call.

House Bill No. 157.

The Chair laid before the Senate on second reading the following bill:

By Mr. Williams of Travis:

H. B. No. 157, A bill to be entitled "An Act to amend Chapter 155, Page 366, Section 1, Acts of Thirty-ninth Legislature, 1925, so as to grant to all incorporated cities and towns the banks, beds and channels and the abandoned banks, beds and channels of all rivers, streams and other channels within their corporate limits."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 157 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 743

The Chair laid before the Senate on second reading the following bill:

By Mr. Reid:

H. B. No. 743, A bill to be entitled "An Act to exempt independent school districts in this State in counties having a population of not less than 8,955 and not more than 8,960, according to the United States census of 1910, from county supervis-

ion and all assessments for county administration and limiting the supervision of such independent school districts to the supervising authority of the State Department of Education and the State Board of Education."

The rule requiring committee reports to lie over one day was suspended.

The committee report was adopted.

On motion of Senator DeBerry, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 743 was put on its second reading by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read second time and passed to third reading.

On motion of Senator Cunningham, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 743 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 297.

The Chair laid before the Senate on second reading the following bill:

By Mr. Hornaday and Mr. Duvall:

H. B. No. 297, A bill to be entitled "An Act providing that all water control and improvement districts heretofore organized under the provisions of Chapter 3a, Title 128, Revised Civil Statutes of Texas, and or under the provision of Chapter 3a Title 128, Revised Civil Statutes of Texas, and the Acts of the Fortieth Legislature at the First Called Session amendatory thereof, and in the organization of which petitions were signed by more than fifty persons owning land within the boundaries of such district and on which petitions hearings were held by the commissioners' court of the county in which such districts were situated and in which such court entered its order or judgment finding in favor of the petitioners for the creation and establishment of such districts, etc., and declaring an emergency."

The bill was read second time.

On motion of Senator Parr, the bill was laid on the table subject to call.

House Bill No. 606.

The Chair laid before the Senate on second reading the following bill:

By Mr. Metcalfe:

H. B. No. 606, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail to construct their roads and branches, or any part thereof, within the time required by law."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 606 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 117.

Senator DeBerry moved to reconsider the vote by which H. B. No. 117 was finally passed. The motion prevailed.

On motion of Senator Woodward, the bill was laid on the table subject to call.

House Bill No. 695.

The Chair laid before the Senate on second reading the following bill:

By Mr. Hubbard:

H. B. No. 695, A bill to be entitled "An Act creating a more efficient road system for Titus county, Texas."

The committee report was adopted.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 695 was put on its second reading by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 695 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Holbrook.
Berkeley.	Hornsby.
Cousins.	Love.
Cunningham.	Martin.
DeBerry.	McFarlane.
Gainer.	Miller.
Greer.	Moore.
Hardin.	Parr.

Parrish.	Westbrook.
Patton.	Williamson.
Pollard.	Wirtz.
Russek.	Witt.
Small.	Woodul.
Stevenson.	Woodward.
Thomason.	

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

Motion to Concur.

Senator Parr moved to concur in the House amendment to S. B. No. 448. The motion prevailed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 677.

The Chair laid before the Senate

on second reading the following bill:

By Mr. Murphy:

H. B. No. 677, A bill to be entitled "An Act to provide for the selection of jurors for service in civil suits in the district and county courts of counties having a population of at least 16,775 and not more than 17,000, as shown by the preceding Federal census."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Cunningham, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 677 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 678.

The Chair laid before the Senate on second reading the following bill:

By Mr. Murphy:

H. B. No. 678, A bill to be entitled "An Act to provide the selection of special venire in cases in counties having a population of at least 16,775 and not more than 17,000, as shown by the preceding Federal census."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Cunningham, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 678 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Neal.

House Bill No. 194.

The chair laid before the Senate on second reading the following bill:

By Mr Quinn:

H. B. No. 194, A bill to be entitled "An Act to aid the city of Port Arthur in the construction of a sea wall, breakwater or revetment work, so as to protect said city from calamitous overflows, by donating to said city all the State ad valorem taxes collected on property in Port Arthur and precinct No. 2, in Jefferson County, from persons in Precinct No. 2 in Jefferson County, for a period of ten years."

The rule requiring committee reports to lie over one day was suspended.

The committee report was adopted.

The bill was read second time.

Senator McFarlane sent up the following amendment:

Amend H. B. No. 194, page 3, section 5, line 21, by adding after the word "cease" in line 21 the following:

"and provided further that the money donated under the provisions of this Act shall not exceed \$2,500,000.00 and when this sum has been received then the provisions of this bill shall become null and void and said taxes shall again be paid to the State as required by law.

McFARLANE.

The amendment was read.

Senator Cousins moved to table the amendment. The motion prevailed.

The bill passed to third reading by the following vote:

Yeas—21.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Pollard.
Cunningham.	Stevenson.
Gainer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Love.	Witt.
Martin.	Woodul.
Parr.	

Nays—5.

DeBerry.	Miller.
Greer.	Woodward.
McFarlane.	

Absent.

Moore.	Small.
Russek.	

Absent—Excused.

Hyer.	Neal.
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On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 194 was put on its third reading and final passage, by the following vote:

Yeas—22.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
Gainer.	Stevenson.
Greer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Love.	Witt.
Martin.	Woodul.

Nays—4.

DeBerry.	Miller.
McFarlane.	Woodward.

Absent.

Moore.	Small.
Russek.	

Absent—Excused.

Hyer.	Neal.
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The bill was read third time and finally passed by the following vote:

Yeas—21.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Pollard.
Cunningham.	Stevenson.
Gainer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Love.	Witt.
Martin.	Woodul.
Parr.	

Nays—5.

DeBerry.	Miller.
Greer.	Woodward.
McFarlane.	

Absent.

Moore.	Small.
Russek.	

Absent—Excused.

Hyer.

Neal.

Reasons for Vote.

Senator Woodward announced that tomorrow he would send up his reasons for voting "Nay" on H. B. No. 194.

Motion to Concur.

Senator Beck moved to concur in the House amendment to S. B. No. 479. The motion prevailed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.

Neal.

Senate Bill No. 612.

The Chair laid before the Senate the following bill:

S. B. No. 612, A bill to be entitled "An Act authorizing the Banking Commissioner of Texas to refund to banks amounts of money due them as refunds by reason of such banks having converted or withdrawn from the Guaranty Fund System prior to the repeal of the Guaranty Fund Law, after carefully calculating and retaining the estimated amount of unliquidated, disputed or unsettled claims against the Fund or money on hand out of which such refunds may be made; providing that the Banking Commissioner shall not be personally liable for making such refunds in accordance with this Act; and declaring an emergency."

The rule requiring Committee reports to lie over one day was suspended.

The Committee report was adopted. On motion of Senator Patton the

constitutional rule requiring bills to be read on three several day was suspended and S. B. No. 612 was put on its second reading, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.

Neal.

The bill was read second time and passed to engrossment.

On motion of Senator Patton the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 612 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer.

Neal.

The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.	Russek.
Hornsby.	Small.
Love.	Stevenson.
Martin.	Thomason.
McFarlane.	Westbrook.
Miller.	Williamson.
Moore.	Wirtz.
Parr.	Witt.
Parrish.	Woodul.
Patton.	Woodward.
Pollard.	

Absent—Excused.

Hyer. Neal.

Motion to Print.

Senator Witt moved to print H. B. No. 389 in the Journal, on minority report.

Senator Holbrook moved that the Senate adjourn until 10:00 o'clock Tuesday morning. The motion was lost by the following vote:

Yeas—11.

Beck.	Parr.
Gainer.	Pollard.
Hardin.	Westbrook.
Holbrook.	Wirtz.
McFarlane.	Woodul.
Miller.	

Nays—15.

Berkeley.	Parrish.
Cunningham.	Small.
DeBerry.	Stevenson.
Greer.	Thomason.
Hornsby.	Williamson.
Love.	Witt.
Martin.	Woodward.

Absent.

Cousins.	Patton.
Moore.	Russek.

Absent—Excused.

Hyer. Neal.

Senator Witt moved to suspend the pending business and take up this bill out of its regular order. The motion prevailed by the following vote:

Yeas—18.

Beck.	Pollard.
Berkeley.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Parrish.	Woodul.
Patton.	Woodward.

Nays—8.

Cunningham.	McFarlane.
DeBerry.	Miller.
Gainer.	Parr.
Holbrook.	Wirtz.

Present—Not voting.

Cousins.

Absent.

Moore. Russek.

Absent—Excused.

Hyer. Neal.

The question recurred upon the motion to print the bill on minority report.

Senator Love moved the previous question on the motion. The previous question was ordered by the following vote:

Yeas—14.

Beck.	Love.
Berkeley.	Martin.
Cousins.	Parrish.
Cunningham.	Small.
DeBerry.	Thomason.
Hardin.	Witt.
Hornsby.	Woodward.

Nays—7.

Gainer.	Pollard.
Holbrook.	Wirtz.
Miller.	Woodul.
Parr.	

Present—Not voting.

Williamson.

Absent.

Greer.	Russek.
McFarlane.	Stevenson.
Moore.	Westbrook.
Patton.	

Absent—Excused.

Hyer. Neal.

Senator Pollard raised the point of order that no quorum was present. The roll call showed the following present:

Present 20.

Beck.	Holbrook.
Berkeley.	Hornsby.
Cousins.	Love.
Cunningham.	Martin.
DeBerry.	McFarlane.
Greer.	Miller.

Parr.	Williamson.
Parrish.	Wirtz.
Small.	Witt.
Thomason.	Woodward.

Absent.

Gainer.	Russek.
Hardin.	Stevenson.
Moore.	Westbrook.
Patton.	Woodul.
Pollard.	

Absent—Excused.

Hyer.	Neal.
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Senator Witt moved a call of the Senate. The call was ordered.

The Sergeant-at-Arms was instructed to close the doors.

Senator Williamson moved that the Sergeant-at-Arms be instructed to bring in the absentees. The motion prevailed by the following vote:

Yeas—12.

Beck.	Parrish.
Cunningham.	Patton.
DeBerry.	Small.
Hornsby.	Williamson.
Love.	Witt.
Martin.	Woodward.

Nays—9.

Berkeley.	Miller.
Cousins.	Pollard.
Greer.	Wirtz.
Hardin.	Woodul.
McFarlane.	

Absent.

Gainer.	Russek.
Holbrook.	Stevenson.
Moore.	Thomason.
Parr.	Westbrook.

Absent—Excused.

Hyer.	Neal.
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A quorum being present, the Sergeant-at-Arms was instructed to open the doors.

Adjournment.

Senator Greer moved that the Senate adjourn until 10:00 o'clock Tuesday morning. The roll call showed no quorum present, the following answering to their names:

Yeas—4.

Cousins.	Miller.
Greer.	Wirtz.

Nays—10.

Berkeley.	Martin.
Cunningham.	Parrish.
DeBerry.	Small.
Hornsby.	Williamson.
Love.	Witt.

Absent.

Beck.	Pollard.
Gainer.	Russek.
Hardin.	Stevenson.
Holbrook.	Thomason.
McFarlane.	Westbrook.
Moore.	Woodul.
Parr.	Woodward.
Patton.	

Absent—Excused.

Hyer.	Neal.
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Senator Williamson moved a call of the Senate. The call was ordered by the following vote:

Yeas—11.

Berkeley.	Martin.
Cousins.	Parrish.
Cunningham.	Small.
DeBerry.	Williamson.
Hornsby.	Witt.
Love.	

Nays—3.

Greer.	Wirtz.
Miller.	

Absent.

Beck.	Pollard.
Gainer.	Russek.
Hardin.	Stevenson.
Holbrook.	Thomason.
McFarlane.	Westbrook.
Moore.	Woodul.
Parr.	Woodward.
Patton.	

Absent—Excused.

Hyer.	Neal.
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Senator Witt moved that the Senate adjourn until 9:00 o'clock Tuesday morning. The motion was lost by the following vote:

Yeas—5.

Cousins.	Wirtz.
Greer.	Witt.
Miller.	

Nays—9.

Berkeley.	Martin.
Cunningham.	Parrish.
DeBerry.	Small.
Hornsby.	Williamson.
Love.	

Absent.

Beck.	Pollard.
Gainer.	Russek.
Hardin.	Stevenson.
Holbrook.	Thomason.
McFarlane.	Westbrook.
Moore.	Woodul.
Parr.	Woodward.
Patton.	

Absent—Excused.

Hyer.	Neal.
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Senator Witt moved that the Senate adjourn until 9:30 o'clock Tuesday morning.

Senator Love moved to adjourn until 9:01 o'clock Tuesday morning.

Senator Williamson moved that the Senate adjourn until 9:05 o'clock Tuesday morning.

The motion prevailed and at 10:55 o'clock p. m. the Senate adjourned.

APPENDIX.**Petitions and Memorials.****(TELEGRAM.)**

Dallas, Texas, March 11, 1929.

Senator Thomas B. Love,
Austin, Texas.

Hope you will strenuously oppose public weighers bill now before Senate because it is unfair discrimination against interior cotton ports like Dallas. Gives Governor right to appoint official port weighers but not interior.

CARR P. COLLINS.

Dallas, Texas, March 11, 1929.

Hon. Thomas B. Love, State Senate.

At the request of our inspector of weights and measures I call your attention to public weighers bill up for consideration in Senate today. We believe this will be helpful in controlling public weighers in Dallas and elsewhere and will give to our department of weights and measures the needed cooperation. Will appreciate your support of bill.

J. BARNEY DAVIS,
Finance Commissioners.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate,

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 142 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:20 o'clock a. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 253 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:20 o'clock a. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 343 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:20 o'clock a. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 370 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:20 o'clock a. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room.

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 407 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:20 o'clock a. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room.

Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 549 carefully examined and compared and find the same correctly enrolled, and have this day at 4:30 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 314 carefully examined and compared, and find the same correctly enrolled, and have this day at 4:30 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 581 carefully examined and compared, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 602 carefully examined and compared, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 560 carefully examined and compared, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 24 carefully examined and compared, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 573 carefully examined and compared, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 37 carefully examined and compared, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 582 carefully examined and compared, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 222 carefully examined and compared, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 613 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chariman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 593 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 525 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 578 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 382 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 537 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 509 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 96 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 443 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 140 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 427 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 596 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 237 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 19 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Penitentiaries, to whom was referred

H. B. No. 718, A bill to be entitled "An Act providing for the establishment of a Prison Reformatory in connection with the State Prison System for young, short term prisoners; prescribing general regulations; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be not printed.

McFARLANE, Chairman.

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 742, A bill to be entitled "An Act amending Article 5397, and providing that any claim which has been forfeited by any locator or owner by reason of the failure to pay rental or royalty, may be reinstated by the locator or owner within ninety days from the date of the forfeiture upon payment of all rentals and royalties due the State on said claim by said locator or owner; and declaring an emergency."

Have had the same under consid-

eration, and I am instructed to report it back to the Senate with the recommendation that it do pass, but that it be not printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 612, A bill to be entitled "An Act authorizing the Banking Commissioner of Texas to refund to banks amounts of money due them as refunds by reason of such banks having converted or withdrawn from the Guaranty Fund System prior to the repeal of the Guaranty Fund Law, after carefully calculating and retaining the estimated amount of unliquidated, disputed or unsettled claims against the Fund or monies on hand out of which such refunds may be made; providing that the Banking Commissioner shall not be personally liable for making such refunds in accordance with this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass but be not printed.

RUSSEK, Chairman.

Committee Room,

Austin, Texas, March 11, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 743, A bill to be entitled "An Act to exempt Independent School Districts in this State in counties having a population of not less than 8,955 and not more than 8,960 according to the United States Census of 1910, from county supervision and all assessments for county administration and limiting the supervision of such Independent School Districts to the supervising authority of the State Department of Education; and the State Board of Education; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HORNSBY, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, the Committee on Judicial Districts, to whom was referred S. B. No. 613, A bill to be entitled "An Act amending an Act approved February 11, 1929, creating the 109th Judicial District, the same being S. B. No. 9, so as to correct the defective emergency clause and place said Act in immediate effect; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PATTON, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 389, A bill to be entitled "An Act to amend Sections 1, 4, 8, 14, and 15, of H. B. No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature, 1927, and adding a new section, Section 11A, thereto, so as to more accurately define the term "Motor Bus Company" and better define the jurisdiction of the Railroad Commission of Texas, in the regulation of motor bus transportation; to provide for the regulation of motor bus terminals; to provide for the licensing of bus drivers and prescribe fees therefor; regulating the rates and the sale of tickets over bus lines; granting to the Railroad Commission the power to bring suits to procure injunctions for the enforcement of the provisions of said H. B. No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature; providing for penalties and punishment for the violation of the provisions of said Act, and for the violation of the rules and regulations of the Railroad Commission; providing for additional funds in the way of fees and licenses for the enforcement of said Act; requiring the sale of stock in a motor bus company to be approved by the Railroad Com-

mission; providing for filing fees for applications for certificates of convenience and necessity, and fees for the lease, sale or transfer of such certificate or stock; providing for the issuance by the Commission of identification metal plates for each vehicle used as a motor bus and the collection of fees therefor; repealing all laws in conflict therewith; providing that the invalidity of any part of this Act shall not affect the validity of any other part; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

WITT, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 389, A bill to be entitled "An Act to amend Sections 1, 4, 8, 14, and 15, of H. B. No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature, 1927, and adding a new section, Section 11-A, thereto, so as to more accurately define the term "Motor Bus Company" and better define the jurisdiction of the Railroad Commission of Texas, in the regulation of motor bus transportation; to provide for the regulation of motor bus terminals; to provide for the licensing of bus drivers and prescribe fees therefor; regulating the rates and the sale of tickets over bus lines; granting to the Railroad Commission the power to bring suits to procure injunctions for the enforcement of the provisions of said H. B. No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature; providing for penalties and punishment for the violation of the provisions of said Act, and for the violation of the rules and regulations of the Railroad Commission; providing for additional funds in the way of fees and licenses for the enforcement of said Act; requiring the sale of stock in a motor bus company to be approved by the Railroad Commission; providing for filing fees for applications for cer-

tificates of convenience and necessity, and fees for the lease, sale or transfer of such certificate or stock; providing for the issuance by the Commission of identification metal plates for each vehicle used as a motor bus and the collection of fees therefor; repealing all laws in conflict therewith; providing for the invalidity of any part of this Act shall not affect the validity of any other part; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MOORE,
MARTIN,
STEVENSON,
WITT,
WILLIAMSON.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 695, A bill to be entitled "An Act creating a more efficient road system for Titus County, Texas," etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 194, A bill to be entitled "An Act to aid the City of Port Arthur, Texas, situated in commissioners' precinct No. 2, of Jefferson county, Texas, in constructing and maintaining seawalls, breakwaters, and shore protections in order to protect said city from calamitous overflows by donating to it eight-ninths (8-9) of ad valorem taxes collected on all property, both real and personal, in commissioners' precinct No. 2, of Jefferson county, Texas, for a period of twenty years, providing a penalty for misapplication of

moneys thus donated; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 314, A bill to be entitled "An Act adding Article 3202a, changing the name of the Deaf and Dumb Asylum to Texas School for the Deaf; and adding Article 3202b, providing that said institution shall be classed and conducted as an educational institution; and adding Article 3202c, prescribing the qualifications and term of office of the superintendent of said institution; and adding Article 3202d, providing for the method of instruction at said school, to Chapter 3, of Title 51 of the 1925 Revised Civil Statutes of the State of Texas; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the attached committee amendment, and that it be not printed.

WIRTZ, Chairman.

Committee Amendment.

Amend H. B. No. 314, Section 2 at the top of page 4 by striking out the following:

"Subject to confirmation by the Senate of Texas,"

Committee Room,
Austin, Texas, March 11, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 668, A bill to be entitled "An Act to protect fur-bearing animals in Henderson County by prohibiting hunting, killing, trapping, taking or possessing such animals for barter or sale in Henderson County at any time except from the first day of December to the twenty-fifth day of January of each year;

fixing a penalty and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it being a local bill that it be not printed.

WIRTZ, Chairman.

FORTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,
March 12, 1929.

The Senate met at 9:05 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills.

S. B. No. 82.	H. C. R. No. 38.
S. B. No. 187.	H. B. No. 439.
S. B. No. 190.	S. B. No. 220.
S. B. No. 254.	S. B. No. 606.
S. B. No. 344.	S. B. No. 479.
S. B. No. 502.	S. B. No. 579.
S. B. No. 503.	H. B. No. 61.
S. B. No. 511.	H. B. No. 62.
S. B. No. 448.	H. B. No. 554.
H. B. No. 735.	H. B. No. 555.
H. B. No. 194.	

Executive Session Set.

On motion of Senator Williamson, the Senate voted to go into executive session Wednesday at 2:00 o'clock p. m. for the purpose of considering nominations by the Governor.

Simple Resolution No. 97.

Senator Love sent up the following resolution:

Be it resolved by the Senate of the State of Texas:

Section 1. The President of the Senate shall appoint a committee of three members of the Senate, whose duty it shall be to immediately investigate the feasibility and cost of having installed in the Senate Chamber radio equipment for broadcasting the proceedings of the Senate, and of making arrangements for such broadcasting to be done at the next session of the Legislature, under plans whereby there shall be one microphone placed at the desk of each Senator, one at the desk of the President of the Senate and one at the desk of the Secretary of the Senate. Said committee shall have authority to make any contract or contracts necessary to comply with this resolution, subject however, to the approval of the Senate, when it shall convene in its next Called Session.

The necessary expenses of the committee incurred in the performance of their duty hereunder, shall be paid out of the Contingent Expense Fund of the Senate.

LOVE.

The resolution was read and lost.

Senator Love moved to reconsider the vote by which the resolution was lost.

Senator Wirtz moved to table the motion. The motion to table was lost by the following vote:

Yeas—9.

Holbrook.	Miller.
Martin.	Parr.